Approved For Release 2005/06/06: CIA-RDP75B00380R000700150006-7 PROPOSED CHANGES - HR 8427

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Section	House-Approved Bill	Senate Committee Print	Notes
101	Pg l Line 6: Short title of bill: "Central Intelligence Agency Retirement Act of 1963"	Pg 1 Line 6: Updates short title to "Central Intelligence Agency Retirement Act of 1964"	Updating change. OK.
201(a)	Pg 2 Line 16: Requires that our rules and regulations be approved by the Chairmen and ranking minority members of the House and Senate Armed Services Committees. (This requirement was added during debate on floor of House. BOB has objected. We proposed that the Senate change "with approval of" to "after consultation with".	Pg 2 Line 16: Same as House-approved bill.	Propose change again. (Requires amendment.)
20h(b)	Pg Line 22: Defines "child" as being under 18 or incapable of self-supportsame as Foreign Service.	Pg h Line 22: Defines "child" as in Civil Service Retirement Act; includes "student" up to age 21.	Change to more liberal provision conforming to Civil Service; we suggested. Recommend acceptance.
221(b)	Pg 6 Line 7: Provides for termination of widow's annuity only upon death.	Pg 7 Line 18: Provides for termination of widow's annuity upon death or remarriage.	Senate change conforms to more restrictive Civil Service provision. We have argued that widow has earned annuity because of her contribution to employee's work but this argument was not accepted. Recommend acceptance of change.
221(b)	Pg 6 Lines 18, 18, & 20: Provides survivor annuity of 50% of employee's annuity. Requires reduction of employee's annuity of 2% of first \$2,400 and 10% of balance.	Pg 7 Line 20; Pg 8 Lines 2 & 4: Provides survivor amulity of 55% of employee's annuity. Requires reduction of employee's amulity of 2½% of first \$3,600 and 10% of balance.	Change to more liberal provision conforming to Civil Service. We suggested. Recommend acceptance.

Section House-Approved Bill		Senste Committee Print	Notes	
221(e)	Pg 7 Line 14: Provision for beginning and terminating child's annuity; taken from Foreign Service; provides for starting annuity the first day of the month after the month of employee's death.	Pg 9 Line 7: Adjusted to Civil Service definition of child to include "student"; provides for starting annuity the day after employee dies.	Change suggested by us to conform in change to more liberal Civil Service definition of "child". Recommend acceptance.	
221(f)	Pg 8 Line 11: Provides survivor annuity of 50% of employee's annuity for named beneficiary of unmarried participant.	Pg 10 Line 7: Increases survivor annuity to 55% of employee's annuity.	Change conforming to more liberal Civil Service pro- vision. Recommend acceptance.	
231(a)	Pg 9 Line 13: Provision for guaranteed minimum disability annuity; if constructive service up to 20 years applies otherwise, the additional service cannot be more than the years between the retiree's age and mandatory retirement age for his grade (65 for GS-18 and over; 60 for GS-17 and below).	Pg 11 Line 10: Same type of provision but with cut-off at age 60 for constructive service credit.	Change conforms to Civil Service. Would affect only GS-18 and over; difficult to justify apparent prefer- ential treatment. Recommend acceptance.	
231(a)	Pg 9 Line 13: Has no provision for limiting survivor annuity if employee has received more than his earned annuity because of guaranteed minimum provision.	Pg 11 Line 10: Specifies that survivor annuity shall not be increased because of operation of guaranteed minimum provision. Survivor annuity based only on employee's earned annuity.	Change to less liberal Civil Service provision. Recommend we argue against on same grounds as for re- taining constructive ser- vice credit in death benefits (sec. 232(e)).	

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(Requires amendment.)

Section	House-Approved Bill	Senate Committee Print	Notes
232(b)	Pg 13 Lines 10 & 14: Death benefits: provides widow annuity of 50% of employee's earned annuity; annuity terminates only upon death of widow.	Pg 15 Lines 5 & 10: Provides widow annuity of 55% of employee's earned annuity; annuity terminates upon death or remarriage of widow. (See notes on Sec. 232(e) below regarding deletion of reference to that section at line 6.)	Change conforms to Civil Ser- vice provisions which have been incorporated in preceding sections. Recommend acceptance.
232(e)	Pg lh Line 21: Provides that widow's annuity shall be computed as if employee had 20 years of service if he died with less than 20 years; limits such additional service credit to time between death and mandatory retirement age.	Pg 16 Line 14: Deletes this special provision. Result is that widow's annuity would be based only on employee's earned annuity.	Change conforms to Civil Service which has no comparable provision. We believe special provision is justified and that we should attempt to restore. (Requires amendment restoring 232(e) and reference to (e) in 232(b).)
233	Pg 15 Line 16: Specifies requirement for 5 years of Agency service for voluntary retirement at age 50 with 20 years of creditable service.	Pg 17 Line 10: Specifies only 5 years in printed version but change to 10 year requirement added.	Believe suggested change to 10 year requirement consistent with "tightening up" of bill; might affect a few people. Recommend acceptance. (Requires amendment.)
Title of 234	Pg 15 Line 17: Title of section "Discontinued Service Retire- ment"section covers refunds, deferred ammities, and involun- tary retirement.	Pg 17 Line 12: Same as House-approved bill.	Present title is not descriptive and somewhat misleading. Recommend change to: "Discontinued Service Benefits (Requires amendment.)
23l;(a)	Pg 15 Line 19: Permits deferred annuity for employee separating with at least five years of service credit, excluding military service.	Pg 17 Line 16: Requires five years of Agency service to qualify for deferred annuity.	Believe suggested change is consistent with "tightening up" of bill; would not affect many people and only those leaving with a few years of service. Recommend acceptance.

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Section	House-Approved Bill	Senate Committee Print	Notes
232(a) and (b) 234(a) and (b)	Pg 16 Lines 6, 8, 9: Establishes age 60 for commencement of a deferred annuity.	Pg 18 Lines 3 and 7: Establishes age 62 for commencement of a deferred annuity.	Change conforms to Civil Service. While an age of 62 for deferred annuity is not consistent with mandatory retirement age of 60, effect of change is not of great significance. Recommend acceptance.
53ř(p) \(\frac{535(p)}{	Pg 16 Line 7: Provision for disposition of contributions to fund of person who dies before reaching age for deferred annuity.	Pg 18 Line 5: Same.	NOTE: Depending on wording of any new provision for involun- tary retirement, may need an amendment after "paragraph (a)" to cover these cases.
234 (c), (d), (e)		Pg 18 Line 10 through Pg 20 Line 10: DELETION of all provi- sion for involuntary retirement.	Believe we should try for the restoration of an acceptable provision for involuntary retirement. (REQUIRES AMENDMENT)
235(a) and (b)	Pg 18 Line 13 through Pg 19 Line 2: Provision for mandatory age retirement: 65 for GS-18 and over; 60 for GS-17 and below. No service requirement specified.	Pg 20, Lines 12 thru 25: Same.	Although Committee Print does not show, we have been asked to include an Agency service requirement. This is consistent with other changes. 5 or 10 years suggested. Recommend acceptance. (REQUIRES AMENDMENT)
236	Pg 19 Line 2: No comparable provision.	Pg 21 Line 1: Establishes limit of 400 over retirements under	Establishment of numerical limitation consistent with

sec. 233 (voluntary retirement) for next 5 years and 400 for succeeding 5 years. Committee staff would include mandatory

age retirements also.

"tightening up." 400 limit for next 5 years appears OK in light of previous statistics. May later need to seek adjust-

ment for second 5 years. (REQUIRES AMENDMENT TO INCLUDE

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Section	House-Approved Bill	Senate Committee Print	Notes
241(a) and (b)	Pg 19 Line 5 thru 22: Provision for 15 interest on refund of contributions and for any excess contributions after all annuity rights have expired.	Pg 21 Line 9 thru Pg 22 Line 7: Changes interest rate to L% for contributions through 31 Dec 17 and 3% thereafter through 31 Dec 56 and no interest thereafter.	Less liberal provision conforming to Civil Service. Question that the provision is equitable but believe we should not argue against change. Recommend acceptance.
252(a)(2) 252(f) 253	Pg 22 Line 3 Pg 24 following Line 19 Pg 24 Line 20	Pg 2h Line 7 Pg 27 Line h Pg 27 Line 2h	Changes in provision for prior military service credit to conform to Civil Service provisions. Recommend acceptance. (AMENDMENT TO delete "Notwithstanding subsection (f) of section 252" beginning on line 24 of pg 27 of Committee Print needed for technical reasons. Also to delete lines 10 thru 14 on pg 28.)
252(ъ)	Pg 22 Line 5 and following: Provides interest rates payable on contributions deposited to cover prior civilian service at rates prescribed in Foreign Service. (Note: Does not apply on direct transfer.)	Pg 24 Line 8 and following: Provides interest rates payable on contributions deposited to cover prior civilian service at rates prescribed in Civil Service. (Note: Does not apply on direct transfer.)	Change conforms to Civil Service; may be of slight benefit to individual. Recommend acceptance. (AMENDMENT to include USC cite at line 17 of pg 2h of Committee print and line 17 of pg 25 requested by Committee Staff.)
263	Pg 25 Line 19: Non-assignability of benefits with exception clause for separation pay.	Pg 29 Line 12: Same.	Note: Amendment to delete the "except" clause at line 15 needed if not providing sepa- ration pay; corrected refer- ence may be needed if separa- tion pay is included in bill.

Section	House-Approved Bill	Senate Committee Print	Notes	
271(a)	Pg 26 Line 4: Provision for the Director to recall a retired participant to duty in the Agency.	Pg 29 Line 19: Same provision but with inclusion of phrase requiring that the participant consent to be recalled.	Since the Director does not have recall authority, change includes provision for annuitant's consent. Language used is at our suggestion. Recommend acceptance.	
Sec. 273	Pg 27 Line 2 thru Pg 28 Line 2: Provides that if an annuitant under the CIA Retirement System is reemployed in another agency he may receive salary plus so much of his annuity as will not exceed his basic salary at time of retirement.	Pg 30 Line 17 thru Pg 31 Line 17: Provides for deduction from salary of reemployed annuitant under the CIA system of his annuity.	Change to less liberal provision conforms to Civil Service provision applicable to a Civil Service annuitant reemployed in a Civil Service—covered position. We believe that our special circumstances warrant special provision and that we should argue to restore our original provision, (REQUIRES AMENDMENT TO RESTORE PREVIOUS PROVISION.)	
Sec. 291	No comparable provision.	Pg 33 Line 10 and following: Provision for cost-of-living increases in annuities.	Change requested by us. Recommend acceptance.	

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•	COMPARISO	ON OF HR 8427 AND 20 AUGUST AND 2 SEPTEMBE	ER COMMITTEE PAINTS		
Section	House-Approved Bill	20 Aug 1964 Committee Print	2 Sep 64 Committee Print	Notes	
101 0 K		Page 1 Line 6: Updates short title of bill to "Central Intelligence Agency Retirement Act of 1964"	Page 1 Line 6: Same.	Updating change.	
111(3)	No comparable provision.	No comparable provision.	Page 2 Line 7: New: "(3) 'Qualifying service' means service performed as a participant in the system (or, in the case of service prior to the enactment of this Act,	New. Definition is broad and should not cause problem in appli- cation of minimum qualifying ser- vice requirements now stated throughout bill.	
OK.	1:-		performed in carrying out duties described in section 203)."	QUESTION: Should not subsections be lettered ((a),(b),(c)) rather than numbered ((1),(2),(3))?	
201(a)	Page 2 Line 16: "rules and regulations to become effective after approval by the chairmen and ranking minority members of the Armed Services Committees of the House and Senate."	Page 2 Line 16: Same.	Page 2 Line 20: Same.	Our suggested change from "approval by" to "consultation with" has NOT been adopted.	
204(b) (3)	Page 1 Line 22: Defines "child" as being under 18 or incapable of self-supportsame as Foreign Service.	Page & Line 22: Defines "child" to include "student" up to age 21same as Civil Service. Page 5 Line 8: "'Child' means an unmarried"	Page 5 Line 3: Same. Page 5 Line 12; "'Child', for the purposes of sections 221 and 232 of this Act, means an unmarried"	Conforms to Civil Service defini- tion of "child" for annuity pur- poses. Technical change indicated after review of 20 Aug print to apply this definitions only to appro- priate sections of bill.	
55J(P)	Page 6 Line 7: Provides for termination of widow's annuity only upon death. Page 6 Lines 13, 18, & 20: Provides survivor annuity of 50% of employee annuity at reduction in employee's annuity of 2% of first \$2,400 and 10% of balance.	Page 7 Line 18: Provides for termination of widow's annuity upon death or remarriage. Page 7 Line 20: Page 8 Lines 2 & 4: Provides survivor annuity of 55% of employee annuity with reduction of employee's annuity at 2% of first \$3,600 and 10% of balance.	Page 7 Line 22: Same. Page 7 Lines 22 & 24; Page 8 Lines 5 & 7: Same.	Conforms to Civil Service. Conforms to Civil Service.	

Section	House-Approved Bill	20 Aug 1961 Committee Print	Sesserbeereerstee Print	Notes
221(e)	Page 7 Line 14: Provision for beginning and terminating child's amounty; taken from Foreign Service; provides for starting amounty the first day of the month after the month of employee's death.	Page 9 Line 7: Adjusted to Civil Service definition of child to include "student"; provides for starting child's annuity the day after the employee dies.	Page 9 Line 13: Same.	Conforms to Civil Service.
221(1)	Page 8 Line 11: Provides survivor amulity of 50% of employee's annuity for named beneficiary of unmarried participant.	Page 10 Line 7: Increases survivor amounty to 55% of employee's annuity.	Page 10 Line 17: Same.	Conforms to Civil Service.
231(a)	limiting survivor annuity if em-	Page 11 Lines 10/11: Specifies that survivor annuity shall not be increased by operation of guaranteed minimum provi-	Page 11 Lines 13/14 and Lines 20/22: Same effect as 20 Aug 64 print but with additional reference to age 60 at lines 13/14. Page 10 Line 8: Incorporates specific reference to section 9(h) ef Civil Service Retirement Act in addition to US Code citation. Page 11 Lines 21/22: Same.	Basic change conforms to Civil Service. Latest change clarifies that 20-year constructive mercine credit applies only under age 60. Needs technical change to place parentheses around "h" in line 8 of page 10. Conforms to Civil Service.
231(b)	Page 9 Line 14: Except in cases of permanent disability, requires annual examination of disability retiree until he reaches "mandatory retirement age for his grade in the Agency."	Page 11 Line 19: Same.	Page 12 Line 7: Requires annual examinations until annuitant reaches "mandatory retirement age for his grade as provided in section 235."	Technical change required by revision of section 235(b). QUESTION: Should reference in Pg 12 Line 7 be "section 235(b)" rather than "section 235"?
232(b)	Page 13 Lines 10kll: Death benefits: prevides widow amuity of 50% of employee's earned amuity; annuity terminates only upon death of widow.	Page 15 Lines 5 & 10: Provides widow annuity of 55% of employee's earned annuity; annuity terminates upon death or remarriage of widow.	Page 15 Lines 17 & 22: Same.	Conferms to Civil Service.
	Page 13 Line 11: Refers to section 232(*) (see note below).	Page 15 Line 6: Deletes reference to Approved For Release 2005/06/06: CIA-RDP7: section 222 (e)	Page 15 Line 18: Same. BB00380R000700150006-7	Deletion of reference to section 232(e) which has been removed.

Approved For Release 2005/06/06: CIA-RDP75B00380R000700150006-7 Notes 20 Aug 64 Committee Print Section House-Approved Bill Conforms to Civil Service. Page 17 Line 3: Same Page 11 Line 21: Provides that widow's annuity shall be computed Page 16 Line 14: Deletes this special provision. Result is that widow's annuity would be based only Our request for resteration of eriginal provision was NOT as if employee had 20 years of on employee's earned annuity as of adopted. service if he dies with less than the date of his death. 20 years. Page 18 Line 1: Requires 10 years Establishes qualifying service Page 15 Line 16: Specifies requirement for 5 years of Agency Page 17 Line 10: Same (however, change 233 of Agency service with at least requirement in addition to into 10 years had been suggested). creasing Agency service require-5 years of qualifying service. service for veluntary retirement ment. at age 50 with 20 years of service. Page 18 Line 3: Changes title to "Discontinued Service Adoption of suggested change to Page 15 Line 17: Title of section "Discontinued Service Retirement": Page 17 Line 11: Same title. Title more descriptive title. of 234 Benefits." covers refunds, deferred annuities, OK and involuntary retirement. Page 18 Line 8: Same. "Tightening up" change; consistent Page 15 Line 19: Permits deferred Page 17 Line 16: Requires 5 years of 234(a) with inclusion of Agency and/or Agency service to qualify for deferred amuity for employee separating qualifying service requirements to with at least 5 years of civilian service credit. annuity. (Employee with less than 5 be eligible for benefits. years would receive refund.) Page 18 Lines 3 & 7: Establishes age 62 Page 18 Lines 18 & 22: Same. for commencement of deferred annuity. Conforms to Civil Service. Page 16 Lines 6, 8, 9: Establishes age 60 (mandatory retirement age for 65-17 and below) for commence-234(*) & (b) OK ment of a deferred annuity. Page 21 Line 17: NEW Sec. 235(a) providing for involuntary retire Partial adoption of requested Page 18 Lines 10/18: Deleted provision of House-approved bill; made no Page 16 Lines 12/20: Provides for 234(c) restoration of involuntary retireinvoluntary retirement with immement provision. Difference is ment at age 50 with 20 years of substitution. diate annuity of GS-lh or over 20-year service requirement at service or at any age with 25 with 5 years qualifying and 10 years of Agency service. age 50. years of service in both cases requiring 5 years qualifying and 10 years of Agency service.

Section House-Approved Bill

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20 Aug 6h Committee Print 2 Sep 6h Committee Print

Page 16 Line 21/Page 18 Line 11: 234(d) Provision for involuntary "retire-& (e) ment" with separation pay and deferred annuity or refund of contributions, as appropriate, of GS-13's and below or GS-11's and above not qualifying under section 234(c) above. (Sec 234(e) permitted assignment of separaPage 18 Line 10/Page 20 Line 10: Deleted these provisions.

Page 19 Line 9/Page 20 Line 23:

Request for restoration of separation pay provision not adopted. (However, Agency has existing technical authority to provide except, perhaps, for assignability feature.)

Page 18 Line 12: Title of section "Mandatory Retirement for 235 Title

Age"

tion pay.)

Page 18 Line 13/Page 19 Line 2: Sections (a) and (b) providing for mandatory retirement of GS-18 and over at age 65 and of GS-17 and below at age 60; no service requirement stated.

Page 20 Line 11: Same.

Page 20 Lines 12/25: Same.

Page 21 Line 16: Changes title to "Mandatory Retirement"

Page 21 Lines 1/15: Deletes presious section 235(a) and (b). Page 21 Line 17: Incorporates new section 235(a) providing for discontinued service retirement as described under notes on 234(c). Page 22 Line h: Incorporates as section 235(b) revision of previous mandatory age retirement provision with additional Agency service requirement of 5 years.

Change required by inclusion of involuntary retirement (discontinued service provision).

Technical change to permit incorporation of revised section. As noted above, partial adoption of request to restore discontinued service retirement provision. Change consistent with inclusion

of Agency and/or qualifying service requirement to be eligible for benefits.

236 No comparable provision.

Page 21 Line 1: Establishes limit of 400 for each of next two 5-year periods over retirements under sec. 233 (voluntary retirement). (Committee staff offi-cer indicated should cover mandatory age retirements also.)

Page 22 Line 19: Title of section "Limitation on Number of Voluntary Retirements*. Page 22 Line 21: States applicability to sec. 233(voluntary), 234 (deferred annuity), and 235 (mandatory age & involuntarydiscontinued service) retirements.

Technical change needed to delete "voluntary" since both voluntary and involuntary are covered. Technical change needed to delete reference to sec. 234 which no longer provides for immediate annuity. QUESTION: Should "or" after "1969," in line 23 be changed to

or "nor" for clarity?

Approved For Release 2005/06/06: CIA-RDP75B00380R000700150006-7 Section House-Approved Bill 2 Sep 64 Committee Print Notes 2h1(a) Page 19 Line 5/22: Provides for 1% interest on refund of Page 21 Line 9/Page 22 Line 7: Changes interest rate to 4% for contri-butions through 31 Dec 47 and 3% there-Rage 23 Lines 7/25: Same. & (b) QUESTION: Should the parencontributions and for any excess theses from line 10 to line 12 contributions after all annuity be deleted? They seem to confuse the meaning of "to the date of after through 31 Dec 56 and no interest after Dec 56 except for employee separights have expired. rated with less than 5 years of service. separation in line 12. Page 22 Line 3: Provides for credit of military service with-Page 24 Line 6: Requires that military service to be credited be performed "prior to the date of the separation Page 26 Line 1: Same. (2) Conforms to Civil Service. out specification was performed. out specifying when such service upon which title to annuity is based." Page 22 Line 5 & following: Provides interest rates payable on contributions deposited to cover Page 24 Line 8 & following: Provides Page 26 Line 3/17; Page 27 Lines 13/15: Same except for inclusion of reference to 5 USC 225h(e) at line 1h on page 26 and at line 1h on page 27 and substitution of &(c)(2) interest rates payable on contributions Basic change from House-approved deposited to cover prior civilian ser-vice at rates prescribed in Civil Serbill conforms to Civil Service. Changes in 2 Sep 64 Committee prior civilian service at rates prescribed in Foreign Service. (Note: Does not apply on direct Print are technical amendments. vice. (Note: Does not apply on direct transfer.) reference to section be of Civil transfer.) Service Retirement Act for section 211 of "this Act". 252(f) No comparable provision. Page 27 Line 4: Inclusion of new section to provide for credit of prior Page 28 Line 25/Page 29 Line 18: Same except for technical change Basic change from House-approved bill conforms to Civil Service. military service under same rules as on Page 29 Line 1 to include Civil Service including limitations Change in 2 Sep 64 Committee reference to "sec 253". Print is technical. applicable to social security benefits based on military service. Page 24 Line 20: Provision for credit of military service during Page 27 Line 24: Technical changes to conform to Civil Service language. Page 29 Line 20: Same but includ-

time of war or national emergency

63 Page 25 Line 19: Non-assignability of benefits with exception clause for separation pay.

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which interrupts period of civi-

ok which interruption lian service.

ing additional technical change

Approved For Release 2005/06/06: CIA-RDP75B00380R000700950006 Plause. provision for separation pay.

Basic change from House-approved

eld sec. 253 beginning at line 11 on page 30 of 2 Sep print precede insertion of new material?

bill conforms to Civil Service.

to delete reference to sec. 252(f) Subsequent changes technical. at beginning of sec. 253(a). QUESTION: Should not deletion of

Page 31 Line 10: Technical change Necessary change with deletion of

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	Section	House-Approved Bill	20 Aug 64 Committee Print	2 Sep 64 Committee Print	Notes
•	271 Title	Page 26 Line 3: Title of sec. 271 "Recall" erroneously printed as last word in title of Part H.	Page 29 Line 18: Same	Page 31 Line 11: "Recall" has been properly placed as title of sec. 271.	Technical correction.
	271(a) O(<	Page 26 Line h: Provision for the Director to recall a retired participant to duty in the Agency.	Page 29 Line 19: Same provision but with inclusion of phrase requiring that the participant consent to recall.	Page 31 Line 15: Same.	Technical change.
	272 & 273			<i>ب</i>	QUESTION: Does use of term "appointive position" at lines 8 and 15 on page 32 of 2 Sep print permit contract employment without annuity offset? Should different term be used?
	273 CK	Page 27 Line 2/Page 28 Line 2: Provides that if an annuitant under the CIA Retirement System is reem- ployed in another agency he may re- ceive salary plus so much of his annuity as will not exceed his basic salary at time of retirement.	Page 30 Line 17/Page 31 Line 17: Provides for deduction from salary of reemployed annuitant under the CIA system of his entire annuity.	Page 32 Line 12/Page 33 Line 12: Same.	Conforms to Civil Service. Our request for resteration of original provision was <u>not</u> adopted.
	291	No comparable provision.	Page 33 Line 10 & following: Provision for cost-of-living increases in annuities.	Page 35 Line 5 & following: Same.	Conforms to Civil Service.